

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

STEWART ABRAMSON, individually and on  
behalf of a class of all persons and entities  
similarly situated,

Plaintiff

vs.

PALMCO ENERGY PA L.L.C d/b/a INDRA  
ENERGY, SYNEGENCE, LLC, SHERRIE  
EDWARDS aka SHERRIE BRYANT aka  
SHERRIE BRYANT EDWARDS and  
MATRIX ENERGY GROUP

Defendants.

Case No. 2:19-cv-1675-MJH

COMPLAINT-CLASS ACTION

**MOTION FOR CLERK’S ENTRY  
OF DEFAULT AGAINST MATRIX ENERGY GROUP**

COMES NOW Plaintiff Stewart Abramson, pursuant to Fed. R. Civ. P. 55(a), hereby files this Motion for Clerk’s Entry of Default against Matrix Energy Group (“Defendant”) in the above-styled action. Mr. Abramson respectfully requests that the Clerk of Court enter default as the Defendant has failed to serve or file an answer to Plaintiff’s claims in this action within the time permitted by law or otherwise.

Federal Rule of Civil Procedure 12(a), entitled “Time to Serve a Responsive Pleading,” provides in pertinent part that “[a] defendant must serve an answer within 21 days after being served with the summons and complaint.” See Fed. R. Civ. P. 12(a)(1)(A)(i). Federal Rule of Civil Procedure 55(a), entitled “Entering a Default,” provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that

failure is shown by affidavit or otherwise, the clerk must enter the party's default." See Fed. R. Civ. P. 55(a) (emphasis added).

Here, the Plaintiff filed his First Amended Complaint on May 27, 2020. *See* ECF No. 27. The Defendant was served on June 12, 2020 with their responsive pleading due July 6, 2020. *See* ECF No. 32. However, the Defendant did not file a responsive pleading. Accordingly, the Plaintiff requests that the Clerk enter the Defendants' default pursuant to Fed. R. Civ. P. 55(a).

The Clerk of Court entered a similar Default against co-defendants Synegence, LLC and Sherrie Edwards on July 24, 2020. *See* ECF No. 40 and 41.

### **CONCLUSION**

WHEREFORE, for the reasons set forth herein, the Plaintiff respectfully requests that the Clerk of Court enter default against Defendant pursuant to Fed. R. Civ. P. 55(a).

Dated: September 1, 2020

PLAINTIFF,

By:

/s/ Anthony I. Paronich  
Anthony I. Paronich  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 1, 2020 I filed the foregoing with the Clerk of the Court using the CM/ECF system.

/s/ Anthony I. Paronich  
Anthony I. Paronich